

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

City of Chicago,

Plaintiff,

v.

DoorDash, Inc. and Caviar, LLC,

Defendants.

Civil Action No. 1:21-cv-05162

Honorable Jeremy C. Daniel
Magistrate Judge Jeffrey T. Gilbert

PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE UNDER SEAL

Plaintiff the City of Chicago seeks leave to file under seal its Motion to Compel Document Discovery from Four Additional Custodians, the accompanying Declaration of Brian E. Bowcut, and Exhibits E, J-Y, AA-DD to that Declaration. The Motion discusses, and the Declaration discusses and attaches as exhibits, materials that Defendants have designated as “Highly Confidential – Attorneys’ Eyes Only” under the Court’s Confidentiality Order. *See* ECF 79.

The Confidentiality Order provides that Highly Confidential material contains trade secrets the disclosure of which the producing party reasonably believes is likely to cause serious economic harm or competitive disadvantage to the producing party, or will otherwise seriously compromise or jeopardize the producing party’s business interests. ECF 79 ¶ 2. It further provides that designation of a document as Protected Material reflects a certification by counsel that the material contains Protected Material as defined in the order. *Id.* ¶ 5(b). The designating party bears the burden of demonstrating the propriety of filing under seal. *Id.* ¶ 9. The City has not independently verified Defendants’ designations and relies on their designations in requesting leave to file under seal.

The City therefore requests leave to file under seal its Motion to Compel Document Discovery from Four Additional Custodians, the accompanying Declaration of Brian E. Bowcut, and Exhibits E, J-Y, AA-DD to that Declaration. Defendants do not oppose this Motion for Leave to File Under Seal.

DATED: February 2, 2024

Respectfully submitted,

**CITY OF CHICAGO DEP'T OF LAW,
AFFIRMATIVE LITIGATION DIVISION**

By: /s/ Stephen J. Kane

Stephen J. Kane
Peter H. Cavanaugh
121 N. LaSalle Street
Room 600
Chicago, IL 60602
Phone: (312) 744-6934
stephen.kane@cityofchicago.org
peter.cavanaugh@cityofchicago.org

**COHEN MILSTEIN SELLERS &
TOLL PLLC**

By: /s/ Brian E. Bowcut

Brian E. Bowcut (*pro hac vice*)
Peter Ketcham-Colwill (*pro hac vice*)
1100 New York Avenue, NW, Suite 500
Washington, D.C. 20005
Phone: (202) 408-4600
bbowcut@cohenmilstein.com
pketcham-colwill@cohenmilstein.com

Lisa M. Ebersole (*pro hac vice*)
88 Pine Street, 14th Floor
New York, NY 10005
Phone: (202) 408-4600
lebersole@cohenmilstein.com

Attorneys for Plaintiff City of Chicago

CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2024, I electronically filed the *Unopposed Motion for Leave to File Under Seal* using the CM/ECF system, which will send notice of this filing to all counsel of record.

Dated: February 2, 2024

/s/ *Lisa M. Ebersole*
